

216264

Applicant(s): Daniel P. Oran  
Atty Docket: CIK- 002.01  
(22669-201)  
Title: Method and Apparatus for Facilitating and Tracking Personal Referrals  
Serial No.: 09/441,191  
Filed: November 15, 1999  
Art Unit:

RECEIVED

\*\*\*\*\*

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on December 21, 2000.

JAN 10 2001

Group 2100

12/22/00

Date

[Signature]

Robert P. King

\*\*\*\*\*

**TRANSMITTAL OF PETITION TO MAKE SPECIAL OF ACTUAL INFRINGEMENT  
under 37 C.F.R. § 1.102**

Transmitted herewith are:

1. Petition to Make Special of Actual Infringement under 37 C.F.R. § 1.102;
2. Check in the amount of \$130; and
3. Return postcard.

Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. 06-1448. A duplicate copy of this sheet is enclosed.

Patent Group  
FOLEY, HOAG & ELIOT LLP  
One Post Office Square  
Boston, MA 02109  
(617) 832-1000

Date: December 22, 2000

Respectfully submitted,  
FOLEY, HOAG & ELIOT LLP

[Signature]

Edward J. Kelly  
Registration No. 38,936  
Attorney for Applicants  
Customer # 25181



#3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant(s): Daniel P. Oran

JAN 10 2001

Atty Docket: CIK - 002.01  
(22669-201)

Group 2100

Title: Method and Apparatus for Facilitating and Tracking Personal Referrals

Examiner:

Serial No.: 09/441,191

Filed: November 15, 1999

Art Unit:

**PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT  
37 C.F.R. § 1.102**

Sir:

This petition seeks to Make Special the above identified application and requests that the subject application be advanced out of turn for examination.

The basis for the petition is that a third party is actually infringing the pending claims of the application, and that

- (1) There is an infringing device or product actually on the market or method in use;
- (2) A rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that some of the claims are unquestionably infringed;
- (3) A careful and thorough search of the prior art has been made or caused to be made; and
- (4) The claims in the application, as presently presented, are believed to be allowable.

The undersigned Attorney has caused to be made a prior art search of the patent literature. One copy of each of the references obtained from the prior art search has been submitted along with a PTO-1449 form.

Accordingly, it is requested that the subject application be advanced out of turn for examination.

20/430113.1


01/02/2001 WKKORHA 00000069 09441191

01 FC:122

130.00 DP

Enclosed is a check for \$130.00 pursuant to 37 C.F.R. § 1.17(i). Please charge any deficiency or credit any overpayment to deposit account 06-1448

Respectfully submitted,



---

Edward J. Kelly  
Registration No. 38,936  
Attorney for Applicants

Customer # 25181

Foley, Hoag & Eliot LLP  
One Post Office Square  
Boston, MA 02109  
Tel.: (617) 832-1000  
Fax: (617) 832-7000